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TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number	10/068,664
Filing Date	02/06/2002
First Named Inventor	Chuan Li
Art Unit	1636
Examiner Name	James S. Ketter
Total Number of Pages in This Submission	10
Attorney Docket Number	N/A

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Remarks A petition to the Commissioner from requirement for restriction is included. Three pages of petition are separately numbered.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	N/A		
Signature			
Printed name	Chuan Li		
Date	October 12, 2007	Reg. No.	N/A

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Amendments and request for reconsideration from requirement for restriction to application: DE NOVO SYNTHESIZED PLASMID, METHODS OF MAKING AND USE THEREOF

Applicant Name: Chuan Li

Date: October 12, 2007

Application/Control Number: 10/068,664

Art Unit: 1636

a.) Introductory Comments

These are amendments and request for reconsideration from requirement for restriction to application (Application Number: 10/068,664) filed on February 6, 2002.

In claim 36, the phrase “SEQ ID NO: 41” is changed to “SEQ ID NO: 35”.

The applicant disagrees with the requirement for restriction and request for reconsideration of the plasmids presented in the claims 26 to 40 to be examined in one group as a single invention.

The plasmids presented in claims 26 to 40 are synthesized by same design. The design was schematically illustrated in Fig. 1 of the application. As a matter of fact, all plasmids presented in the application were synthesized by this design and they were synthesized simultaneously in the same series of experiments.

The plasmids presented in the application have different sequences because they consist of different replication origins and different selection markers. However all of these different replication origins and selection markers are connected by two linker sequences. These linker sequences are CCGCCGCGCCGC and GGCGGGGCGCCCGG GCGGCCGGCG. No other natural or man-made plasmids except those presented in this application contain exactly all these two linker sequences. These linker sequences are intrinsic connection of these plasmids. They are the evidences that these plasmids are made by same design. They are the evidences that these plasmids are related.

In addition, these plasmids are functionally related. All claimed plasmids are based on pACYC replication origin which gives low copy number. Unexpected results of high copy number are observed with claimed plasmids. This functional property is useful because the protein expression in high copy number plasmids is higher than the expression in low copy number plasmids. High copy number plasmids are also useful in plasmid DNA production. Furthermore, the claimed plasmids appear to confer higher antibiotic resistance capacity for the host cells. Therefore the claimed plasmids are clearly functionally related.

Therefore the applicant presented evidences on the record that the presented plasmids are structurally and functionally related and respectfully requests that the petition for the plasmids presented in the claims 26 to 40 to be examined in one group as a single invention is granted.